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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/676,829

09/30/2003

Stephen Burns

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02/25/2010

TOWNSEND AND TOWNSEND AND CREW LLP/ORACLE
TWO EMBARCADERO CENTER
8TH FLOOR
SAN FRANCISCO, CA 94111-3834

EXAMINER

BASEHOAR, ADAM L

ART UNIT

PAPER NUMBER

2178

MAIL DATE

DELIVERY MODE

02/25/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<p align="center">Advisory Action Before the Filing of an Appeal Brief</p>	<p>Application No. 10/676,829</p>	<p>Applicant(s) BURNS ET AL.</p>	
	<p>Examiner ADAM L. BASEHOAR</p>	<p>Art Unit 2178</p>	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 25 January 2010 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
- (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ They raise the issue of new matter (see NOTE below);
- (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
- The status of the claim(s) is (or will be) as follows:
- Claim(s) allowed: _____.
- Claim(s) objected to: _____.
- Claim(s) rejected: _____.
- Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.

/Adam L Basehoar/
Primary Examiner, Art Unit 2178

Continuation of 11. does NOT place the application in condition for allowance because: The arguments are not persuasive. In regard to independent claim 1, Applicant argues that neither Anuff nor Bales teach or suggest "generating software coding...based on the data source specification and the layout specification". The Examiner respectfully disagrees with Applicant and notes that Anuff as previously shown in the rejection clearly teaches a user constructing a coded (column 4, lines 46-67: "software objects"; column 6, lines 34-46; column 7, lines 5-24; column 14, lines 1-9: "module view object contains display logic for its module...generates the HTML for its front-page view"; column 3, lines 58-67; column 10, lines 52-62; column 13, lines 53-67)(Fig. 4) portlet via a first user interface for interactively defining a data source specification (column 2, lines 1-12; column 3, lines 44-67; column 4, lines 1-14: "user can edit the content of the individual modules"; column 7, lines 5-24 & 59-63; column 8, lines 38-51; column 10, lines 52-67; column 13, lines 22-67: "portal server session...user's front page is displayed via the browser application"; column 14, lines 15-26) and via a second user interface for interactively defining a layout specification (column 2, lines 3-12; column 3, lines 40-56: "enable the user to revise the layout of the portal, change its color scheme"; column 4, lines 6-15: "user can determine which modules appear in each of the groups, as well as their order of appearance"; column 7, lines 65-67; column 8, lines 1-64; column 13, lines 53-67; column 14, lines 1-30; column 15, lines 6-45)(Fig. 5a & 5b).

Applicant further argues Bales does not teach or suggest "determining the layout of a portlet via one of a plurality of user interfaces presented to a user." As previously noted, the Bales reference has not been specifically relied upon to teach said feature but as shown in the cited sections of Bales, the reference clearly teaches where via one or more of the plurality of user interfaces a user could interactively define layout parameters of at least on portlet (Paragraph 33: "portlet layout elements or components"; Paragraph 41: "portlet components screen").

Finally Applicant argues that there is no convincing reason to combine the teachings of the portal/portlet system of Bales with the portal/portlet system of Anuff. The Examiner respectfully disagrees with the Applicant and notes that the motivation to combine has been pulled directly from the Bales reference. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention for portal/portlet system of Anuff to have included the set of generated user interfaces of Bales, because Bales taught that a wizard based user interface method for automatically generating portlets and portals provided the user a quicker and less cumbersome process for creating said portlets and portals (Paragraph 8: "cumbersome...time and effort"; Paragraph 35: "automates the creation of a portlet and reduces the number of steps otherwise needed for portlet creation"; Paragraph 36: "automates the creation of a portal and reduces the number of steps otherwise needed for portal creation").